

REMARKS

Claims 1-30 are pending in this application. Claims 1, 18 and 29 has been amended to put it into better form.

Rejection of the Claims under 35 U.S.C. § 112, Second Paragraph

Claims 1-30 were rejected under 35 U.S.C. § 112, second paragraph as failing to distinctly claim the present invention. Applicants have pointed out the use of “Bluetooth” in patent claims (including the Struble reference cited in the further rejection of the claims below). In the current Office Action, the Office is requiring that the Applicants submit a Bluetooth specification from the time of filing of the present application. The Office’s handling of the present case appears to be inconsistent when compared to the Struble case. The term “Bluetooth” is used in the claims of Struble, but no Bluetooth specification was submitted by the Applicants in that case, and there is no citation to a Bluetooth document in the specification of Struble. Moreover, the handling of the present case appears to be inconsistent when compared to the vast majority of cases that include the term “Bluetooth” in its claims. Performing the search “aclm/bluetooth” in the USPTO web-site reveals 545 patents. A cursory review of these patents reveals that at least in some cases, the Applicants in these patents submitted a citation in the body of the patent to the Bluetooth specification. In the vast majority of these cases, there is no citation to a Bluetooth specification in the “Other References” section of the patent (i.e., the search “aclm/bluetooth and oref/bluetooth” reveals only 74 patents or less than 15% of the total). Applicants make clear in the specification of its application that the term “Bluetooth” refers to specifications that can be located at www.bluetooth.com. Version 1.1 of the specification, which was finalized in March, 2001, is over 500 pages long, and it would be wasteful to print out such documents for submission to the PTO since the public reading the present application would know readily how to obtain copies of documents relating to the Bluetooth specification. Accordingly, Applicant has submitted sufficient information to make the term Bluetooth in the patent claims of a reasonable and determinant scope. Reconsideration and withdrawal of the rejection of claims 1-30 under 35 U.S.C. § 112, second paragraph is respectfully requested.

Rejection of the Claims under 35 U.S.C. §§ 102(e) and 103(a)

Claims 1-4, 7, 18-21, 24, and 29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,647,497 to Cromer et al. ("Cromer"). Claims 5, 6, 8, 9, 22, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cromer in view of U.S. Patent No. 6,609,656 to Elledge ("Elledge"). Claims 10-17 and 25-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cromer in view of Elledge in view of U.S. Patent No. 6,433,685 to Struble et al. ("Struble"). Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cromer in view of Struble.

Embodiments of the present invention take advantage of Bluetooth technology to create a security system where a secured device includes a communication system that allows it to communicate with a number of Bluetooth access points coupled to a security server. Claim 1, has been amended to refer to the secured device as including a transceiver for sending and receiving data. Claims 18 and 29 have also been amended to bring out the feature that the secured device is able to send and receive data via the Bluetooth technology. With such an equipped secured device, a plurality of Bluetooth Access Points may establish a Bluetooth link with the secured device and a security server that is connected to all BTAPs. Claim 1 calls for the security server to obtain attribute information, to activate a lock with the secured device, and to send location information of a designated BTAP and an unlock code to the secured device via the designated BTAP. Claim 18 is a method claim that includes limitations similar to those found in claim 1. Claim 29 refers to a plurality of instructions stored on a computer readable medium to be executed by a processor of a security server to establish a link via a designated BTAP to obtain attribute information of the secured device, activate a lock with the secured device and sending location information of the designated BTAP and an unlock code to the secured device via the designated BTAP. The features of Several features of these independent claims are not taught or suggested by the cited references.

Cromer fails to teach or suggest Bluetooth technology and fails to teach or suggest the communication link between the BTAPs and the secured device as recited in the pending claims. The laptop computers of Cromer are to receive wireless signals via the RFID interface (Col. 3, lines 44-47), but do not have any capability for transmitting data to any device that can be

considered a BTAP as described in the pending claims. In addition, Applicant maintains his arguments from its previous Amendment.

Elledge and Struble fail to make up for the deficiencies of Cromer. Elledge concerns the receipt of signals from an RFID device attached to a laptop computer. Such a system is similar to the use of RFIDs in stores to prevent shoplifting. It is noted that the present application discusses the use of RFIDs in the Background section. Struble is similar to Elledge. Struble provides a computer with a database that receives information from a detector of identification information and checks it against its database records. When a match is found, owner preference information associated with the identification is retrieved from the database records and transmitted.


Since features of the claims are neither taught nor suggested by the Cromer, Elledge, and Struble references, reconsideration and withdrawal of the rejection of claims 1-30 under 35 U.S.C. §§ 102(e) and 103(a) is respectfully requested.

The Office is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 or §1.17 or credit any overpayment to Deposit Account No. 11-0600.

Should the Examiner have any questions concerning this matter, he is invited to contact Applicants' undersigned attorney at 202/220-4255.

Respectfully submitted,

Date: 3/7/06


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